

REMARKS

At the outset, applicants wish to thank the Examiner for reviewing and considering the pending application. The Office Action dated July 27, 2006 has been received and reviewed.

Claims 1-16 are pending in this application. By this amendment, claims 1-5 have been amended. In particular, the claims have been amended to overcome a 35 U.S.C. §101 rejection directed to non-statutory subject matter. Accordingly, entry of the amendment is respectfully requested.

The Office Action rejects claims 1-5 under 35 U.S.C. §101 as being directed to non-statutory matter. Claims 1-5 have been amended to overcome the rejection. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §101 be withdrawn.

The Office Action rejects claims 1-4, 6-8, and 10-15 under 35 U.S.C. §102(b) as being anticipated by the “Program and System Information Protocol for Terrestrial Broadcast and Cable” (hereinafter ATSC A/65) published on December 23, 1997 by the ATSC. Applicants respectfully traverse the rejection.

As required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, the reference must teach every element of the claim. Applicants respectfully submit that ATSC A/65 does not teach every feature of claim 1, 6, and 13.

More specifically, amended claim 1 recites, among others, “a version number for an event information table...that is different from a version number for a previously transmitted event information table...a second identifier, distinct from the version number, the second identifier comprising identification information indicating whether contents of an event information table in a bit stream syntax are shifted or changed.” Claims 6 and 13 recite similar features.

On page 4, the Office Action's argument is that ATSC A/65 discloses that a `table_type` (associated with the claimed second identifier) includes `table_type_version_number` (associated with the claimed identification information), which when there is no change in `table_type_version_number` indicates that the contents of the EIT are shifted. When there is a change in the `table_type_version_number`, this indicates a change in the EIT.

As a preliminary matter, the claims require that "a version number for an event information table...that is different from a version number for a previously transmitted event information table." ATSC A/65 on page 71 discloses that "Whenever the decoder monitoring the MGT detects a change in the version number of a table, it assumes that the table has changed and needs to be reloaded." ATSC A/65 further discloses on page 18 that the value of the `table_type_version_number` shall be the same as the `version_number` entered in the corresponding fields of tables and table instances. In other words, the `table_type_version_number` can only indicate a change in the EIT, but not a shift in the EIT when the `version_number` has changed. Accordingly, the Office Action's assertion does not meet each and every feature of the claims. Claims 2-4, 7-8, 10-12, and 14-15 are at least allowable by virtue of their dependency on the respective independent claims.

The Office Action rejects claims 5, 9, and 16 under 35 U.S.C. §103(a) as being unpatentable over ATSC A/65. Applicants respectfully traverse the rejection.

As required in Chapter 2143.03 of the M.P.E.P., in order to establish *prima facie* obviousness of the claimed invention, all the limitations must be taught or suggested by the prior art.

Reply to Office Action dated July 27, 2006
Amendment filed October 20, 2006
U.S. Application No. 09/691,054

Attorney Docket No. 8736.045.00

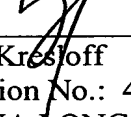
As discussed above, ATSC A/65 does not teach or suggest the features of claims 1, 6, and 13. Claims 5, 9, and 16 are at least allowable by virtue of their dependency on the respective claims 1, 6, and 13.

Accordingly, Applicant believes that the application is in condition for allowance. Notice of same is earnestly solicited. Should the Examiner find the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, including any fees under 37 C.F.R. §§1.16 and/or 1.17, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: October 23, 2006

Respectfully submitted,

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